

JAP:MMH

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

1310983

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UNITED STATES OF AMERICA

- against -

YAKOV YITZCHAK ROTH,  
also known as  
"Yaacov Yitzchak Roth,"

Defendant.

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EASTERN DISTRICT OF NEW YORK, SS:

MATTHEW Q. MAGUIRE, being duly sworn, deposes and states that he is a Special Agent with the United States Department of State, Diplomatic Security Service, duly appointed according to law and acting as such.

On or about August 27, 2013, within the Eastern District of New York and elsewhere, the defendant YAKOV YITZCHAK ROTH, also known as "Yaacov Yitzchak Roth," did knowingly and willfully use and attempt to use a United States visa that was procured by means of a false claim or statement and otherwise procured by fraud and unlawfully obtained.

(Title 18, United States Code, Section 1546)

The source of your deponent's information and the grounds for his belief are as follows:<sup>1</sup>

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<sup>1</sup> Because the purpose of this Complaint is to set forth only those facts necessary to establish probable cause to arrest, I have not described all the relevant facts and circumstances

**SUBMITTED UNDER SEAL**

**AFFIDAVIT AND  
COMPLAINT IN SUPPORT OF  
ARREST WARRANT**

(18 U.S.C. § 1546)

1. I am a Special Agent with the United States Department of State, Diplomatic Security Service (“DSS”) and have been with DSS since June 2002. I have been involved in the investigation of numerous cases involving visa fraud. I am familiar with the facts and circumstances set forth below from my participation in the investigation; my review of the investigative file, including the defendant’s criminal history record; and from reports of other law enforcement officers involved in the investigation.

2. On or about July 31, 2013, the defendant YAKOV YITZCHAK ROTH, also known as “Yaacov Yitzchak Roth” (“the defendant”) a citizen of Israel, submitted an online application for a United States B1/B2 visa. On the application, form DS-160, the defendant provided his Israeli national identification number ending in 8889.<sup>2</sup> The defendant also stated “No” in response to the question, “Have you ever been arrested or convicted for any offense or crime, even though subject of a pardon, amnesty, or other similar action?”

3. On or about August 5, 2013, the defendant was issued a B1/B2 visitor visa bearing foil #H4953066 at the United States Consulate in Tel Aviv, Israel with an expiration date of August 21, 2023. On or about August 27, 2013, the defendant arrived at John F. Kennedy International Airport in Queens, New York aboard El Al flight LY 11. The defendant presented the B1/B2 visa bearing foil #H4953066 and was admitted as a visitor until February 26, 2014.

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of which I am aware.

<sup>2</sup> The Israeli national identification number is a unique identification number, similar to a social security number, issued to each citizen of Israel.

4. The defendant was scheduled to return to Israel on or about October 8, 2013 via El Al flight LY 28 departing from Newark Liberty international Airport. The defendant did not board the flight as scheduled.

5. On or about October 25, 2013, the New York City Police Department was informed by a confidential informant ("CI") that the defendant is present in the United States and is presently located in the New York City area.


6. Israeli authorities have confirmed that in or around 1997, Yaacov Yitzchak Roth, a citizen of Israel bearing Israeli national identification ending in 8889,<sup>3</sup> was convicted in the District Court of Tel Aviv for rape, sodomy, forced sexual assault of a minor, indecent sexual act with respect to a minor and indecent sexual acts with respect to a minor who is a family member; that in or about March 1998, the defendant was sentenced to 12 years' imprisonment; that in or about October 2000, the defendant's sentence was increased to 16 years' imprisonment; and that in or about March 2013, the defendant was released from prison in Israel after receiving early parole.

7. I have been advised that the photograph and fingerprints of the defendant included with his visa application and the photograph and fingerprints of the defendant taken on August 27, 2013 at JFK belong to the same person.


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<sup>3</sup> The Israeli national identification number associated with Yaacov Yitzchak Roth's 1997 conviction is the same Israeli national identification number the defendant provided on his visa application.

WHEREFORE, your deponent respectfully requests that the defendant YAKOV YITZCHAK ROTH be dealt with according to law.

  
MATTHEW Q. MAGUIRE  
Special Agent  
United States Department of State  
Diplomatic Security Service

Sworn to before me this  
12th day of November, 2013

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